
HOUSE BILL 1295

State of Washington 59th Legislature 2005 Regular Session

By Representatives Lovick, Priest, Williams, Wood and Chase

Read first time 01/20/2005. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to decriminalizing "fine only" criminal statutes;
2 amending RCW 7.48.250, 66.20.340, and 88.02.110; and prescribing
3 penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 7.48.250 and 1987 c 202 s 136 are each amended to read
6 as follows:

7 Whoever is (~~convicted~~) found to have committed the infraction of
8 erecting, causing, or contriving a public or common nuisance as
9 described in this chapter, or at common law, when the same has not been
10 modified or repealed by statute, where no other punishment therefor is
11 specially provided, shall be punished by a (~~fine~~) monetary penalty
12 not exceeding one thousand dollars(~~7~~) and the court, with or without
13 such (~~fine~~) monetary penalty, may order such nuisance to be abated,
14 and issue a warrant as hereinafter provided: PROVIDED, That orders and
15 warrants of abatement shall not be issued by district judges.

16 **Sec. 2.** RCW 66.20.340 and 1995 c 51 s 6 are each amended to read
17 as follows:

18 (1) A violation of any of the rules of the board adopted to

1 implement RCW 66.20.300 through 66.20.350 is ((a-misdemeanor)) an
2 infraction, punishable by a ((fine)) monetary penalty of not more than
3 two hundred fifty dollars for a first offense.

4 (2) A subsequent offense is a misdemeanor punishable by a fine of
5 not more than five hundred dollars, or imprisonment for not more than
6 ninety days, or both the fine and imprisonment.

7 **Sec. 3.** RCW 88.02.110 and 1993 c 244 s 4 are each amended to read
8 as follows:

9 (1) Except as otherwise provided in this chapter, a violation of
10 this chapter and the rules adopted by the department pursuant to these
11 statutes is ((a-misdemeanor)) an infraction punishable only by a
12 ((fine)) monetary penalty not to exceed one hundred dollars per vessel
13 for the first violation. Subsequent violations in the same year are
14 subject to the following ((fines)) monetary penalties:

15 (a) For the second violation, a ((fine)) monetary penalty of two
16 hundred dollars per vessel;

17 (b) For the third and successive violations, a ((fine)) monetary
18 penalty of four hundred dollars per vessel.

19 (2) After subtraction of court costs and administrative collection
20 fees, moneys collected under this section shall be credited to the
21 current expense fund of the ((arresting)) jurisdiction issuing the
22 notice of infraction.

23 (3) All law enforcement officers shall have the authority to
24 enforce this chapter, and the rules adopted by the department pursuant
25 to these statutes within their respective jurisdictions: PROVIDED,
26 That a city, town, or county may contract with a fire protection
27 district for such enforcement and fire protection districts are
28 authorized to engage in such activities.

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